III. REMARKS

A. General.

Claims 37-69 are new and are pending after entry of this amendment. Claims 1-36 are cancelled without prejudice, reserving the right to later prosecution. No new matter is added.

B. Amendments to the specification.

The specification is amended to correct minor spelling and grammatical errors, and to make consistent reference to like elements. No new matter is added.

C. Rejection under 35 U.S.C. § 103(a).

The Examiner has rejected now-cancelled claims 1-36 under 35 U.S.C. § 103(a) as being "unpatentable over Schmier et al. [U.S. Patent No. 6,006,159; hereinafter 'Schmier et al.']." See Office Action, ¶ 2. Schmier et al. disclose a "system for notifying passengers waiting for public transit vehicles of the status of the vehicles." See Schmeir et al., Abstract. Schmeir et al. further disclose mobile "vehicle information units" (see e.g., col. 3, line 30), a "non-addressable display device" (see e.g., col. 5, lines 3-32), and a mobile "addressable display device" (see e.g., col. 5, lines 33-38).

The Examiner rejected now-cancelled claims 1-36 under 35 U.S.C. § 103(a) as being "unpatentable over Girerd et al. [U.S. Patent No. 6,131,067; hereinafter 'Girerd et al.']." See Office Action, ¶ 4. Girerd et al. disclose that "a user accesses server 200 using a computer 1 .... Server 200 then interrogates [a] remote sensor 20 .... In response, the remote sensor 20 transmits positioning data to the server 200 .... The location of remote sensor 20 so determined is transmitted from server 200 to computer 1 ...." See col. 5, lines 26-37.

The Examiner rejected now-cancelled claims 1-36 under 35 U.S.C. § 103(a) as being "unpatentable over [Berstis] [U.S. Patent No. 6,182,010 B1; hereinafter 'Berstis']." See

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Office Action, ¶ 6. Berstis discloses "improved in-vehicle display of navigation information." See col. 1, line 60. Berstis further discloses a "pervasive computing client device 10" positioned in a vehicle that may be a "palmtop computer" (see e.g., col. 3, line 35; col. 4, lines 57-59), that the "pervasive computing client preferably includes a global positioning system ... receiver 45" (emphasis added) (see col. 3, lines 59-60), and that a "server platform 40" that may be a "value-added server 41" (see e.g., col. 4, lines 21-31). Berstis discloses that "the in-vehicle system connects to the server (e.g., via a wireless connection) and receives the desired content for display on the user's computer." See col. 2, lines 49-51. Applicants respectfully traverse the Examiner's argument that Berstis et al. disclose a first and a second "mobile unit" as recited in Applicants' claims because Berstis et al. disclose only a single "pervasive computing client device 10" in a motor vehicle. See e.g., Figure 3. It appears that since there is no disclosed direct link between GPS receiver 45 and wireless data transceiver 58, if the palmtop computer is removed from cradle 51 then GPS receiver 45 cannot transmit location information to server 40.

With reference to Applicants' new claims, neither Schmier et al, nor Girerd et al., nor Berstis disclose or suggest at the least "receiving a request from a user for information relevant to the location of the first mobile unit" or "accessing the requested information based on the stored location [of a first mobile unit]" or "transmitting the requested information to a second mobile unit" (emphasis added) as recited in new independent claim 37, and in similar language as recited in new independent claim 52. Accordingly, independent claims 37 and 52, and claims depending therefrom, are patentable over each of Schmier et al, Girerd et al., and Berstis.

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The Examiner rejected now-cancelled claims 1-27 and 30-36 under 35 U.S.C. § 103(a) as being "unpatentable over Beckert et al [U.S. Patent No. 5,794,164; hereinafter 'Beckert et al.'] in view of Fan et al. [U.S. Patent No. 5,959,577; hereinafter 'Fan et al.']." See Office

Action, ¶ 8. Beckert et al. disclose "a vehicle computer system that is capable of integrating ... diverse and separate systems." See col. 1, lines 66-67. "One processor ... is provided on a computer module which mounts to a stationary base unit [in a vehicle]" and "[a]nother processor ... is provided on a faceplate module that detachably connects to the base unit." See col. 2, lines 23-32. "[T]he faceplate module can ... function as a portable phone or a handset unit that can communicate with the base unit in the vehicle. The faceplate module can also be used to receive paging information ...." See col. 2, lines 45-49. "The computer module supports the navigation ... systems." See col. 3, lines 14-16. Fan et al. disclose that "a GPS receiver is used to obtain a measured position fix of a mobile unit. The measured position fix is reported to the data processing station which associates the reported position to a map of the area .... The area map ... is made available for access by authorized monitor units or mobile units. An authorized monitor unit may request for a specific area map by sending a request ...." See Abstract. Fan et al. further disclose that a "mobile unit may ... send a request for a database search through the data network to the data processing station to obtain an area map or travel-related information." See col. 2, lines 21-24. But the combination of Beckert et al. and Fan et al. at the least does not disclose or suggest "transmitting the requested information to a second mobile unit" as recited in Applicants' new independent claim 37 and as recited in similar language in new independent claim 52.

Moreover, Applicants respectfully believe that the Examiner's statement that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Beckert et al by utilizing the faceplate cellphone to wirelessly access a data network such as the Internet to obtain updated map and traffic information as well as to provide third party tracking in view of the teachings of Fan et al." (see Office Action, ¶ 8) lacks sufficient factual evidence to establish a prima facie case of obviousness. "The level of skill in the art cannot be relied upon to provide the suggestion to combine references." See M.P.E.P. (8th

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ed., Aug. 2002), § 2143.01. "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation, to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art." See id. Although it may have been known, as the Examiner stated, to "access a wide variety of information useful for navigational processing" and to "provide third party monitoring of positioning/operational characteristics as shown by Fan et al." (see Office Action, ¶ 8), the Examiner has not provided factual evidence to support motivation for combining these two references. Accordingly, new independent claims 37 and 52, and claims depending therefrom, are patentable over Beckert et al. in view of Fan et al.

D. Request for interview.

Applicants request the Examiner telephone the undersigned attorney at 408-453-9200 ext. 1253 to schedule a telephone interview.

E. Request for reconsideration.

Applicants request the Examiner reconsider this application, allow all pending claims, and pass this application to issue. Applicants invite the Examiner to telephone the undersigned attorney at 408-453-9200 ext. 1253 if there are any questions.

EXPRESS MAIL LABEL NO:
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Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

A. The paragraph beginning on page 1, line 19:

Location-relevant services, which provide information or perform services based on the geographical location of a mobile client, are becoming more available. A location-relevant service can be used, for example, by a trucking company to track the positions of its vehicles in service. Another application of location-relevant systems is to provide travel-related services (e.g., driving directions) based on the position of the client. One example of a location-relevant service is described, for example, in copending U.S. patent application "Method for Distribution of Locality-Relevant Information using a Network" ("Copending Application"), application [serial] no. 09/422,116, filed October 20, 1999. To provide an example regarding the architecture and application of a location-relevant information system, the disclosure of the Copending Application is hereby incorporated by reference in its entirety.

B. The paragraph beginning on page 4, line 5:

In one application, a user who is seeking a real property can specify [specified] in the location-relevant service server a search request for a list of real properties for inspection. The search result can be pushed to his cellular phone (i.e., second mobile unit, in this instance) based on the position of the receiver (e.g. GPS receiver) installed in his vehicle, when he arrives at the vicinity and requests from the second mobile unit his search results.

C. The paragraph beginning on page 5, line 8:

Figure 4 shows [system 400, in] a second embodiment of the present invention.

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D. The paragraph beginning on page 5, line 10:

Figure 5 shows [system 500, in] a third embodiment of the present invention.

E. The paragraph beginning on page 6, line 3:

As illustrated by system 100, mobile unit 101 can send its position data, for example, over a wireless link 113 with wireless gateway 104. Positional data can be received, for example, from a GPS system or a terrestrial triangulation-based system. Figures 6 and 7 illustrate methods for obtaining a receiver position based on a global positioning system and a terrestrial triangulation system, respectively. As shown in Figure 6, in a GPS system, receiver 605 receives from satellites 601-604 respective positions P1, P2, P3 and P4 and their times of transmission. Using its local time t, receiver 605 computes distances S1, S2, S3, and S4, which are respective distances of satellites 601-604 from receiver 605. Position PR of receiver 605 can then be computed conventionally as a function of P1, P2, P3, P4, S1, S2, S3 and S4. As shown in Figure 7, under a terrestrial triangulation method, land-based transmitters 702-704 of known locations P1, P2 and P3 each provide a signal from which receiver 701 computes respective distances S1, S2 and S3 between receiver 701 and each of transmitters 702-704. The position PR of receiver 701 can be computed conventionally as a function of P1, P2, P3, S1, S2, and S3. In addition to the computed position of mobile device 101, the time at which the position was obtained can [be] also be provided to location-relevant service server 106. This information would allow the user or location-relevant service server 106 to determine whether or not a more or less frequent update is necessary. The direction of travel of mobile unit 101 can also be provided to location-relevant service server 106. (Direction of travel

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can be used, for example, in a driving direction service to provide more accurate "turn by turn" driving directions—i.e., additional turns may be necessary to reorient the vehicle towards the destination.)

F. The paragraph beginning page 8, line 26:

Figure 3 illustrates a "push-based" operation of one embodiment of the present invention. Under the push-based operation of Figure 3, at steps 301 and 302, mobile device 110 receives a command for a selected location-relevant service and enables the corresponding service at location-relevant service server 106. The selected service can be activated according to some conditions, such as a specified position reported by mobile unit 101. At the same time, at regular time intervals, mobile unit 101 provides its current position to location-relevant service server 106. Location-relevant service server 106 waits on the specified conditions for triggering the selected location-relevant service (steps 303 and 304). When the conditions for the selected service are met, the selected service is performed in accordance with the position of mobile unit 101 (step 305). Depending on whether the selected service is to remain active (e.g., prior to the expiration of a specified time period), location-relevant service server 106 returns to wait for the triggering conditions (step 306), or proceeds [proceed] with other location-relevant services (step 307), as required.

G. The paragraph beginning page 9, line 14:

Examples of other location-relevant information that can be provided includes: traffic, operating or maintenance conditions regarding the vehicle, entertainment (e.g., movies or shows played at nearby cinemas or theaters) or travel-related information (e.g., locations of nearby hotels, points of interests, gas stations, restaurants, driving

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directions etc.) In system 100, for example, prior to a trip, a user can specify [specified] from his desktop personal computer a list of location-related service requests. The user seeking to buy real estate, for example, may set requests for locations of open-house events, which will then be downloaded to mobile device 110 in the form of a paging message or an email, when mobile device 101 – which is installed in the user's car – arrives at the specified geographical vicinity.

H. The paragraph beginning page 9, line 29:

The information at location-relevant service server 106 can be shared among users for many purposes. For example, the present invention provides a method for authentication for on-line transactions. For example, a user completing an on-line transaction with mobile device 110 can sign the transaction using the position data displayed on the display panel of mobile unit 101. The elapsed time since the position data was obtained can also be displayed on the display panel and used to achieve further robustness. The other party to the transaction can authenticate the user through location-relevant service server 106, which independently queries [query] mobile unit 101 to obtain its position.

I. The paragraph beginning page 10, line 7:

In system 100, mobile unit 101 and mobile device 110 communicate via separate wireless links 113 and 119. However, the operations described above and the attendant benefits can similarly be achieved [similarly] using systems 400 and 500 of Figures 4 and 5, respectively, in alternative embodiments of the present invention. To simplify the following discussion and to avoid repetition, like elements in Figures 1, 4 and 5 are provided like reference numerals. In each of systems 400 and 500, rather

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than mobile unit 101 sending positional data to location-relevant service server 106 via an independent communication link, the position information data of mobile unit [device] 101 and communication between mobile device 110 and location-relevant service server 106 share a common wireless link and an internet gateway. In system 400, mobile unit 101 and mobile device 110 communicate with each other over wireless link 402, and communicate with location-relevant service server 106 through mobile device 110. Alternatively, as shown in Figure 5, mobile unit 101 and mobile device 110 communicate over a wired link 501, and communicate with location-relevant service server 106 through mobile unit 101's wireless link 113. Wired link 501 can be implemented, for example, by a docking station through a standard interface. For example, if mobile unit 101 is a lap top or a personal digital assistant, such an interface can be provided by a 1394 serial bus interface. As in Figure 1, in systems 400 and 500, location-relevant service server 107 can be accessed from non-mobile or desktop client 112.

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